

In the claims:

Please amend the claims as follows:

1. (Previously Presented) A selective bird feeder, comprising:
a selective housing having at least one sidewall and a base;
a seed holder contained within the selective housing and including a base;
a space disposed between a sidewall of the seed holder and the at least one sidewall of the selective housing;
a fastening member constructed and arranged to removably secure the base of the selective housing to the base of the seed holder;
a top adjacent an upper edge of the selective housing;
said fastening member comprising a threaded plug that is adapted to removably connect, through a substantially centrally disposed aperture in said selective housing base, to the base of said seed holder;
wherein, upon removal of the fastening member, the selective housing and the base of the selective housing are disconnected from the seed holder such that a user can remove the selective housing and the base of the selective housing from engagement with the base of the seed holder.
2. (Canceled)
3. (Previously Presented) The selective bird feeder of claim 1, wherein the space is about 1.0 inches.
4. (Previously Presented) The selective bird feeder of claim 1, wherein the space is about 1.5 inches.

5. (Previously Presented) The selective bird feeder of claim 1, wherein the space is about 2.0 inches.

6. (Canceled)

7. (Previously Presented) The selective bird feeder of claim 1, wherein the base of the selective housing is substantially solid.

8. (Previously Presented) The selective bird feeder of claim 1, wherein the base of the selective housing includes apertures.

9. (Original) The selective bird feeder of claim 1, wherein the at least one sidewall of the selective housing includes apertures having a maximum dimension of about 1.0 inches.

10. (Original) The selective bird feeder of claim 1, wherein the at least one sidewall of the selective housing includes apertures having a maximum dimension of about 1.5 inches.

11. (Original) The selective bird feeder of claim 1, wherein the at least one sidewall of the selective housing includes apertures having a maximum dimension of about 2.0 inches.

12. (Previously Presented) The selective bird feeder of claim 1, wherein the top of the selective housing is substantially solid.

13. (Canceled)

14. (Original) The selective bird feeder of claim 1, wherein the top of the selective housing includes apertures having a maximum dimension of about 1.0 inches.

15. (Original) The selective bird feeder of claim 1, wherein the top of the selective housing includes apertures having a maximum dimension of about 1.5 inches.

16. (Original) The selective bird feeder of claim 1, wherein the top of the selective housing includes apertures having a maximum dimension of about 2.0 inches

17. (Original) The selective bird feeder of claim 1, wherein the removable top directly contacts the seed holder.

18. (Original) The selective bird feeder of claim 17, wherein the seed holder includes a cap, and the removable top directly contacts the cap.

19. (Original) The selective bird feeder of claim 1, wherein the removable top is spaced apart from the seed holder.

20. (Original) The selective bird feeder of claim 1, wherein the removable top includes an aperture through which a portion of the seed holder extends.

21. (Original) The selective bird feeder of claim 19, wherein the seed holder includes a cap, and further comprising a space between the removable top and the cap.

22. (Original) The selective bird feeder of claim 21, wherein the spacing between the cap and the removable top is adjustable.

23. (Original) The selective bird feeder of claim 21, wherein the spacing between the cap and the removable top is adjustably limited.

24. (Canceled)

25. (Canceled)

26. (Previously Presented) The selective bird feeder of claim 21, further comprising a hanger attached to the seed holder, wherein the hanger extends through the top.

27. (Currently Amended) A selective bird feeder, comprising:
a selective housing having a cylindrical sidewall and including apertures having a width ranging from about 1.3 inches to about 1.7 inches;
said selective housing including a base on which the seed holder is supported;
cover separate from and supported at least on the cylindrical sidewall of the selective housing;
a cylindrical seed holder contained within and spaced apart from the cylindrical sidewall of the selective housing;
said seed holder including a base and a cylindrical seed housing that together define a compartment for bird seed;
a seed holder cap closing the top of the cylindrical seed holder;
a hanger attached to the seed holder; ~~and~~;
a clamp separate from said hanger disposed between said cover and cap to prevent removal of said cover;
said clamp comprising an annular member that is secured about the seed holder cylindrical housing; and
a fastening member constructed and arranged to removably secure the base of the selective housing to the base of the seed holder;

said fastening member comprising a threaded plug that is adapted to removably connect, through a substantially centrally disposed aperture in said selective housing base, to the base of said seed holder.

28. (Canceled)

29. (Canceled)

30. (Canceled)

31. (Canceled)

32. (Currently Amended) A selective bird feeder, comprising:
a selective housing having ~~at least one~~ a circumferential sidewall and a base, the ~~at least one circumferential~~ sidewall of the selective housing including a plurality of apertures that provide access for certain size birds to the interior of the selective housing;

a seed holder at least partially contained within the selective housing and supported by the base of the selective housing;

said seed holder including a base and a hollow cylindrical seed housing that together define a compartment for bird seed;

a space disposed between ~~a sidewall~~ the housing of the seed holder and the ~~at least one circumferential~~ sidewall of the selective housing;

said cylindrical seed housing arranged coaxially within said circumferential sidewall;

a cover separate from and supported by the ~~at least one circumferential~~ sidewall of the selective housing, the cover including an aperture through which a portion of the seed holder extends;

said cylindrical seed housing having a top end that extends above said cover;

the seed holder further including a cap spaced apart from the cover, and further including a hanger attached to the cap; and
a clamp disposed about the seed holder cylindrical housing above the cover to prevent removal of the cover.

33. (Original) The selective bird feeder of claim 1, further comprising a hanger attached to the seed holder.

34. (Original) The selective bird feeder of claim 33, wherein the top further includes an aperture sized and dimensioned to receive the hanger therethrough.

35. (Original) The selective bird feeder of claim 34, wherein the aperture is sized and dimensioned to receive the seed holder therethrough.

36. (Currently Amended) A selective bird feeder comprising
a selective housing having at least one sidewall and a base;
a seed holder contained within the selective housing and including a base;
said seed holder including a base and a cylindrical seed housing that together define a compartment for bird seed;
a fastening member constructed and arranged to removably secure the base of the selective housing to the base of the seed holder;
a top adjacent an upper edge of the selective housing;
a clamp comprising an annular member that is secured about the seed holder cylindrical disposed about the seed holder above the removable top;
wherein, upon removal of the fastening member, the selective housing and the base of the selective housing are disconnected from the seed holder such that a user can remove the selective housing and the base of the selective housing from engagement with the base of the seed holder;

a fastening member constructed and arranged to removably secure the base of the selective housing to the base of the seed holder;

said fastening member comprising a threaded plug that is adapted to removably connect, through a substantially centrally disposed aperture in said selective housing base, to the base of said seed holder.

37. (Canceled)

38. (Canceled)

39. (Original) The selective bird feeder of claim 36, wherein the top is substantially dome-shaped, and the outer edge of the top extends below the upper edge of the selective housing.

40. (Previously Presented) A selective bird feeder comprising
a selective housing having at least one sidewall and a base;
a seed holder contained within the selective housing and including a base;
a fastening member constructed and arranged to removably secure the base of the selective housing to the base of the seed holder;

a top adjacent an upper edge of the selective housing;

said fastening member comprising a threaded plug that is adapted to removably connect, through a substantially centrally disposed aperture in said selective housing base, to the base of said seed holder;

wherein the top is a substantially transparent plastic material;

wherein, upon removal of the fastening member, the selective housing and the base of the selective housing are disconnected from the seed holder such that a user can remove the selective housing and the base of the selective housing from engagement with the base of the seed holder.

41. (Original) The selective bird feeder of claim 32 wherein said clamp comprises a spring clip.

42. (Original) The selective bird feeder of claim 32 wherein said clamp comprises a rib formed in the outer surface of the seed holder.

43. (Original) The selective bird feed of claim 42 wherein said rib is an annular rib integrally formed with the seed holder.

44. (Original) The selective bird feeder of claim 32 further including a wing nut for the clamp.

45 (Original) The selective bird feeder of claim 32 further including an annular rib on the seed holder below the cover.

46. (Previously Presented) The selective bird feeder of claim 1 wherein the base of said seed holder has an internally threaded female member adapted to threadedly engage with a male threaded plug.

47. (Previously Presented) The selective bird feeder of claim 1 wherein said top, adjacent a peripheral edge thereof, rests upon an upper edge of said selective housing, whereby upon removal of said threaded plug said selective housing readily disengage with said top to enable removal of the selective housing.

48. (Previously Presented) The selective bird feeder of claim 47 wherein the only support between the upper edge of said selective housing and the top is by virtue of the resting engagement therebetween.

49. (Previously Presented) The selective bird feeder of claim 1 wherein said seed holder includes a base and a cylindrical seed housing that together define a compartment for bird seed and further including a clamp comprising an annular member that is secured about the seed holder cylindrical housing.